

## UNITED STATES DISTRICT COURT W. D. OF WASHINGTON AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

Case No. CR09-5452RJB

v.

RIGOBERTO FARIAS-CONTRERAS,

DETENTION ORDER

Defendant.

THE COURT, having conducted a detention hearing pursuant to 18 U.S.C. § 3142 and § 3145(b) on August 7, 2009, finds as follows:

1) No condition or combination of conditions which defendant can meet will reasonably assure the appearance of the defendant as required and/or the safety of any other person or the community. This finding is based on 1) the nature and circumstances of the offense(s) charged, including whether the offense is a crime of violence or involves a narcotic drug; 2) the weight of the evidence against the person; 3) the history and characteristics of the person including those set forth in 18 U.S.C. § 3142(g)(3)(A)(B); and 4) the nature and seriousness of the danger release would impose to any person or the community. The court's oral opinion of August 7, 2009, is incorporated herein by this reference.

2) No less restrictive condition or combination of conditions will reasonably assure the appearance of the defendant as required and/or the safety of any other person and the community, including but not limited to those conditions set forth in 18 U.S.C. 3142(c)(1)(B).

3) Detention is presumed pursuant to 18 U.S.C 3142(e)

(X) Potential maximum sentence of 10+ years as prescribed in the Controlled Substances Act (21 U.S.C. § 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. § 951 et seq.) Or the Maritime Drug Law Enforcement Act (46 U.S.C. App. 1901 et seq.)

(4) Safety Reasons Supporting Detention (if noted as applicable below):

(X) Nature of allegations.

Flight Risk/Appearance Reasons Supporting Detention

Defendant and his wife are Mexican nationals, legally in the United States with green cards. Defendant travels to Mexico and has siblings there. Further, see oral opinion referenced above.

*Order of Detention*

The defendant shall be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal, without prejudice to review.

- ▶ The defendant shall be afforded reasonable opportunity for private consultation with counsel.
- ▶ The defendant shall on order of a court of the United States or on request of an attorney for the Government, be delivered to a United States marshal for the purpose of an appearance in connection with a court proceeding.

August 11, 2009.



Robert J Bryan  
United States District Judge

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